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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/777,900	<b>Applicant(s)</b> JUNG ET AL.	
	<b>Examiner</b> DAVID FABER	<b>Art Unit</b> 2177	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 47-59 and 62-82 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 47-59, 62-82 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

### **DETAILED ACTION**

1. This office action is in response to the amendment filed on 24 October 2011.

**This office action is made Final.**

2. Claims 47-56, 58, 62, 67, 68, 70, 72, 74, 75, 77 and 80 have been amended.
3. Claims 81-82 have been added.
4. Claims 47-59, 62-82 are pending. Claims 47, 52, 53, 55, 62, and 67 are independent claims.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 81-82 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

7. Claim 81 discloses the limitation "the one of the plurality of mark-up documents corresponding to different parental levels that is specified by the start-up mark-up document is a mark-up document that is to be automatically interpreted by the presentation engine before the presentation engine interprets any other mark-up document except the start-up mark-up document and before any of the AV data is

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reproduced and displayed on the interactive mode screen in the interactive mode.” the Examiner is unable to locate any disclosure within the specification stating the limitation that the start up document is automatically interpreted by the document. Since this feature is not described in the specification for the instant application, the examiner is forced to make a broad interpretation for this feature.

8. As per Claim 82, Claim 82 contains similar limitations being done automatically as in Claim 81 and is rejected under 35 USC 112 under the same rationale.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 47, 50, 52-59, 62-70, 73, 77-79, and 81-82 remain/are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamkin et al. (hereinafter Lamkin), U.S. Publication No. US 2002/0088011 A1, filed 7/2/2001, provisional filing 7/7/2000 (cited via Applicant's IDS) in further view of Otsuka et al (20030044171, filed 8/24/2001) in further view of Kanazawa et al (US Patent 6580870, filed 11/27/1998)

As per independent claim 47, Paragraph 0042-0043 explicitly states that “the mark-up document serves as an application program.” Therefore, it viewed by the

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Applicant that markup document(s) is considered an application and vice versa. Thus, Lamkin et al discloses an method disclosing a DVD (a storage medium) containing AV data, and including HTML documents in directories to reproduce said AV data in an interactive mode (a DVD video content and HTML content with extra information regarding said video encoded on said DVD, playable via computer connected to the Internet). This functionality can be performed by the use of a computer program comprising code/instructions executing the functionality (Abstract; Paragraph 0035, 0039, 0063, 0066, 0068, 0174, 0224; Claim 1 & 2) Also, Lamkin discloses the use of ITX API to perform the functionality (Para 0115-0179) and HTML is viewed as an application (0176). Furthermore, Lamkin teaches interactive content displayed on an interactive screen (clickable scenes in a displayed HTML Web page) on a display device that displays the HTML document and DVD content (paragraph 0066, 0103-0104); FIG 1 item 138, FIG 2) wherein Lamkin discloses embedding AV content with the HTML document (Paragraph 0117, 0121-0124) Furthermore, Lamkin discloses different embodiments that disclose a form of a startup document. In one embodiment, Lamkin teaches a common HTML page (index.htm) in a directory named "common" (a form of startup document) (Lamkin paragraph [0075]). Lamkin discloses checking/identifying a startup file when a disc is detected (Para 0075, 0081, 0089) Furthermore, Lamkin states "Upon insertion of the ITX disk, the platform will initiate execution of the appropriate binaries (based on a device specific feature, such as autorun) and then the binaries will load the index.htm file located in the common directory, the starting point for any general-purpose ITX disk. The starting or entry point is the index.htm file, with which

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resides in the top level of the common directory. ...The index.htm file will be the background "container" web page while standard playback occurs." (Para 0101-0102) Furthermore, Lamkin discloses various other embodiments in which a HTML page is shipped with a DVD (a form of startup document) that links to a web site on the Internet or other supplemental information provided from the HTML data stored on the DVD (linking is a form of information about other markup document) (Lamkin, Paragraph 0035, 0066-0070) Thus, Lamkin discloses a user can select a link to another web site through the start up document that to be interpreted by the presentation engine (display interface)

However, Lamkin fails to specifically disclose the medium itself comprises a plurality of markup documents. However, Otsuka et al discloses allowing a user to browse HTML documents stored in the local optical disc. Otsuka discloses an AV interface displaying a HTML document which includes a menu coded in HTML (HTML menu) that includes links to other website documents. FIG 2B discloses a embodiment of an HTML file showing selectable links to other documents. This HTML document is a form of a start-up document since it is executed upon the disc player is initialized when it's turned on. From the HTML menu presented in a form of an HTML document, the user can select/retrieve other web document stored on the local optical disc. (Paragraph 0003, 0021, 0025, 0027) Since Otsuka discusses a first document being displayed, and the user can use first document to retrieve a second document wherein both documents are stored on the disc, Otsuka discloses plurality of documents stored on the medium. (Paragraph 0003, 0021, 0025, 0027) It would have been obvious to one of ordinary skill

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in the art at the time of Applicant's invention to have modified Lamkin in further view of Otsuka since it would have provided the benefit of allowing users to retrieve additional information about a topic quickly without the need of a network or Internet.

Furthermore, Lamkin discloses identifying parental level values (Page 11, Right Column, "ParentalLevelSelect(n)" command that allows a parental level to be selected) wherein the commands control the playback and navigation mechanisms of the DVD (Paragraph 0131); however, Lamkin and Otsuka fail to specifically disclose documents corresponding to different parent levels and a document specifying which one of the documents corresponds to different parental level to be interpreted depending on the parental level. However, Kanazawa discloses the ability to restrict the access of Web display related information (web page) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information

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conforming with the attributes of the system to be always acquired.” Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

It would have been obvious to one of ordinary skill in the art at the time of Applicant’s invention to have modified Lamkin and Otsuka with Kanazawa since it would have provided the benefit of enabling the user to acquire the best related information while conforming with the attributes of the system.

As per dependent claim 50, Claim 50 recites similar limitations as in Claim 47 and is similarly rejected under rationale. Furthermore, Lamkin et al discloses link information identifying locations of documents (Paragraph 0066, 0068, 0070, Claim 15: discloses links to other documents/sites). Based on the rejection of Claim 47 and the rationale incorporated, Otsuka discloses link information according to different parental levels. In addition, Kanawaza discloses “when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level “8,” if the parental level set in the reproducing system is “7” or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the



system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired.” (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48) In other words, if the user has a higher allowed parental level than the page’s set parental level, then the user is able to view the page and/or certain/all content. If the user has a lower allowed parent level, then the page and/or certain/all content is blocked.

As per independent claim 52, Lamkin et al discloses a method disclosing a DVD (a storage medium) containing AV data, and including HTML documents in directories to reproduce said AV data in an interactive mode (a DVD video content and HTML content with extra information regarding said video encoded on said DVD, playable via computer connected to the Internet) This functionality can be performed by the use of a computer program comprising code/instructions executing the functionality (Abstract; Paragraph 0035, 0039, 0063, 0066, 0068, 0174, 0224; Claim 1 & 2) Also, Lamkin discloses the use of ITX API to perform the functionality (Para 0115-0179) and HTML is viewed as an application (0176).. Furthermore, Lamkin discloses different embodiments that disclose a form of a startup document. In one embodiment, Lamkin teaches a common HTML page (index.htm) in a directory named “common” (Lamkin paragraph [0075]). Furthermore, Lamkin discloses various other embodiments in which a HTML page is shipped with a DVD (a form of startup document) that links to a web site on the Internet or other supplemental information provided from the HTML data stored on the

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DVD (linking is a form of information about other markup document) (Lamkin, Paragraph 0035, 0066-0070) Thus, Lamkin discloses a user can select a link to another web site through the start up document that to be interpreted by the presentation engine (display interface) Furthermore, Lamkin teaches interactive content displayed on an interactive screen (clickable scenes in a displayed HTML Web page) on a display device that displays the HTML document and DVD content (paragraph 0066, 0103-0104); FIG 1 item 138, FIG 2) wherein Lamkin discloses embedding AV content with the HTML document (Paragraph 0117, 0121-0124) In addition, Lamkin discloses the common directory (a form of "root" directory) contains an index page and device specific subdirectories. Also, Lamkin discloses ROM content is stored in subdirectories and top-level directories containing subdirectories. For example, top-level Sony directory may have a PS2, PS3, and CE (platform) directories wherein each platform directory contains an ITX.htm file (startup). Lamkin explicitly discloses the creation of PS2 and PS3 directories under the Sony directory. Therefore, the PS2 & PS3 directories are subdirectories of the Sony directory. Thus, Lamkin teaches various directories (i.e. directories and subdirectories) storing both DVD content and HTML content accordingly (Lamkin paragraph 0035, 0080, 0089-0090, 0099)

However, Lamkin fails to specifically disclose the medium itself comprises a plurality of markup documents. However, Otsuka et al discloses allowing a user to browse HTML documents stored in the local optical disc. Otsuka discloses an AV interface displaying a HTML document which includes a menu coded in HTML (HTML menu) that includes links to other website documents. FIG 2B discloses a embodiment

of an HTML file showing selectable links to other documents. This HTML document is a form of a start-up document since it is executed upon the disc player is initialized when it's turned on. From the HTML menu presented in a form of an HTML document, the user can select/retrieve other web document stored on the local optical disc. (Paragraph 0003, 0021, 0025, 0027) Since Otsuka discusses a first document being displayed, and the user can use first document to retrieve a second document wherein both documents are stored on the disc, Otsuka discloses plurality of documents stored on the medium. (Paragraph 0003, 0021, 0025, 0027) It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Lamkin in further view of Otsuka since it would have provided the benefit of allowing users to retrieve additional information about a topic quickly without the need of a network or Internet.

Furthermore, Lamkin discloses identifying parental level values (Page 11, Right Column, "ParentalLevelSelect(n)" command that allows a parental level to be selected) wherein the commands control the playback and navigation mechanisms of the DVD (Paragraph 0131); however, Lamkin and Otsuka fails to specifically disclose documents corresponding to different parent levels and a document specifying which one of the documents corresponds to different parental level to be interpreted depending on the parent level. However, Kanazawa discloses the ability to restrict the access of Web display related information (web page) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content

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that coincides with the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired." Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Lamkin and Otsuka with Kanazawa since it would have provided the benefit of enabling the user to acquire the best related information while conforming with the attributes of the system.

As per independent claim 53, Claim 53 recites similar limitations as in Claims 47, 50 and 52 and is similarly rejected under rationale.

As per dependent claim 54, it is implicitly known in HTML for multiple links, wherein each link corresponds to document, each link has it owns <a href=""> tag that corresponds to a document.

As per independent claim 55, Claim 55 recites similar limitations as in Claims 47 and 52 and is similarly rejected under rationale.

As per dependent claim 56, Claim 56 recites similar limitations as in Claim 55, and is similarly rejected under rationale. Furthermore, Lamkin does not specifically teach displaying information according to a "set parental level". However, based on the rejection of Claim 52, 55, and the rationale incorporated, Kanazawa discloses the ability to restrict the access of Web display related information (web page/web page content) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the

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attributes of the system to be always acquired.” Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set level parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

As per dependent claim 57, Lamkin discloses a stylesheet (i.e. CSS) (Paragraph 0124)

As per dependent claim 58, Lamkin does not specifically teach displaying information (elements of a mark-up document allotted to class values) according to a “set parental level” (class values of elements based on display information). However, based on the rejection of Claim 52, 55, and the rationale incorporated, Kanawaza discloses blocking/restricting web content based upon a numerical (value) control (8 parental level values, 1-8) wherein these set predetermined values determine which elements, content and other information of the Web page to be displayed, and teaches specifying which content/web pages a user is allowed to access, based on the set parental level. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

As per dependent claim 59, Lamkin discloses a stylesheet (i.e. CSS) (Paragraph 0124)

As per independent claim 62, Claim 62 recites similar limitations as in Claims 47, 55 and 58 and is similarly rejected under rationale. Furthermore, Lamkin discloses an optical pickup to radiate laser beams on the data storage medium to read the mark-up documents and the AV data from the data storage medium (Abstract; Paragraph 0035, 0039, 0063, 0066, 0068, 0174, 0224: Discloses a DVD (a storage medium) containing AV data, and including HTML documents in directories to reproduce said AV data in an interactive mode (a DVD video content and HTML content with extra information regarding said video encoded on said DVD, playable via computer connected to the Internet) Also, Lamkin discloses the use information being read from the disc using a laser beam. (Paragraph 0015) Furthermore, Lamkin discloses blending the HTML page and video (Paragraph 0153-0154) This functionality can be performed by the use of a computer program comprising code/instructions executing the functionality (Abstract; Paragraph 0035, 0039, 0063, 0066, 0068, 0174, 0224; Claim 1 & 2) Also, Lamkin discloses the use of ITX API to perform the functionality (Para 0115-0179) and HTML is viewed as an application (0176).

Lamkin discloses identifying parental level values (Page 11, Right Column, "ParentalLevelSelect(n)" command); however, fail to specifically disclose a presentation engine identifying a predetermined value of an element of the mark-up document and determining whether to display the element depending on the predetermined value, parental level and display rule information. However, based on the rejection of Claim 52, 55, and the rationale incorporated, Kanazawa discloses the ability to restrict the access of Web display related information (web page/web page content) based on a parental

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level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system.

Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. This is based upon a numerical (value) control (8 parental level values, 1-8) wherein these set predetermined values determine which elements, content and other information of the Web page to be displayed, and teaches specifying which content/web pages a user is allowed to access, based on the set parental level. Furthermore, Kanazawa discloses “when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level “8,” if the parental level set in the reproducing system is “7” or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired.”

Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set level parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being



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selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

As per dependent claims 63-64, Lamkin teaches a stylesheet (CSS) (Paragraph 0124)

As per dependent claim 65, Claim 65 recites similar limitations as in Claims 58, 62 and is similarly rejected under rationale.

As per dependent claim 66, based on the rejection of Claim 62, and the rationale incorporated, Kanazawa discloses “when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level “8,” if the parental level set in the reproducing system is “7” or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired.” Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set level parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information

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coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

As per claims 67-68, Claim 67-68 recite similar limitations as in Claims 47, 55, and 62 and is similarly rejected under rationale.

As per dependent claim 69, Lamkin discloses plug-ins (Paragraph 0220)

As per dependent claim 70, Lamkin discloses retrieving data and the mark-up documents (applications) through a network. (FIG 1, 2, Paragraph 0068)

As per dependent claim 73, Claim 73 recites similar limitations as in Claim 67 and is similarly rejected under rationale. Furthermore, Lamkin discloses an API (Lamkin paragraph [0051])

As per dependent claim 77, Claim 77 recites similar limitations as in Claim 52 and is similarly rejected under rationale.

As per dependent claims 78-79, Claim 78-79 recites similar limitations as in Claim 55, 57-59, 60-61 and is similarly rejected under rationale.

As per dependent claim 81, Claim 81 recites similar limitations as Claim 47 and is similar rejected under rationale. Furthermore, Lamkin discloses that a startup file must be presented on the disk since the Lamkin checking/identifying a startup file when a disc is detected (Para 0075, 0081, 0089) Furthermore, Lamkin states “Upon insertion of the ITX disk, the platform will initiate execution of the appropriate binaries (based on a device specific feature, such as autorun) and then the binaries will load the index.htm file located in the common directory, the starting point for any general-purpose ITX disk. The starting or entry point is the index.htm file, with which resides in the top level of the

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common directory. ...The index.htm file will be the background "container" web page while standard playback occurs." (Para 0101-0102) In addition, based on the rejection of Claim 47, and the rationale incorporated, Otsuka et al discloses the use of a startup document before any other document. (Paragraph 0003, 0021, 0025, 0027) Therefore, both Lamkin and Ostuka disclose the use of the startup document being process/interoperated/displayed before any other document. Once the startup document is identified, Java Script can then be used to detect platforms and render appropriate HTML pages tailored to specific platforms. (Para 0076,0102) Therefore, once the startup file has been processed, additional document and/or AV data is displayed.

Furthermore, Lamkin discloses identifying parental level values (Page 11, Right Column, "ParentalLevelSelect(n)" command that allows a parental level to be selected) wherein the commands control the playback and navigation mechanisms of the DVD (Paragraph 0131); however, Lamkin and Otsuka fail to specifically disclose documents comprising instructions corresponding to different parent levels. However, Kanazawa discloses the ability to restrict the access of Web display related information (web page) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the

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screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired." Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Lamkin and Otsuka with Kanazawa since it would have provided the benefit of enabling the user to acquire the best related information while conforming with the attributes of the system.

As per dependent claim 82, Claim 82 recites similar limitations as in Claim 81 and is similarly rejected under rationale.

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11. Claims 48-49, 51, 71-72, 74-76, 80 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lamkin et al in further view of Otsuka et al in further view of Kanazawa et al in view of Berstis et al. (US Patent 6,510,458 filed 7/15/1999)

As per dependent claim 48, Claim 48 recites similar limitations as in Claim 47 and is similarly rejected under rationale. Furthermore, Lamkin et al discloses link information identifying locations of documents (Paragraph 0066, 0068, 0070, Claim 15: discloses links to other documents/sites). Kanawaza discloses link information associated with documents corresponding to different parental levels. In other words, each document is associated with one or more parental levels (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48) However, Lamkin, Otsuka and Kanawaza do not specifically teach meta-information according to different parental levels. However, Berstis teaches HTML meta-information associated with parental levels (Berstis column 10 lines 10-19; col 12, lines 13-15; col 14, lines 60-67 -insert an extra header into the document before the contents of the document; col 15, lines 4-6, 12-25 – embedding in the document). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Berstis to Lamkin, Otsuka and Kanawza, providing the benefit of meta-data to more accurately describe parental data and selecting which HTML page (via links) to view based on parental levels.

As per dependent claims 49, Claims 49 recites similar limitations as in Claim 47 & 48 and are similarly rejected under rationale. Furthermore, Lamkin et al discloses link information identifying locations of documents (Paragraph 0066, 0068, 0070, Claim 15:

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discloses links to other documents/sites). In addition, based on the rejection of Claim 47 and the rationale incorporated, Kanawaza discloses “when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level “8,” if the parental level set in the reproducing system is “7” or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired.” In other words, if the user has a higher allowed parental level than the page’s set parental level, then the user is able to view the page and/or certain/all content. If the user has a lower allowed parent level, then the page and/or certain/all content is blocked.

As per dependent claim 51, Lamkin discloses DVD video data and markup documents written in HTML (FIG 2; Paragraph 0035,0080). However, Lamkin does not specifically teach parental levels meeting DVD standards or ratings. However, based on the rejection of Claim 48 and the rationale incorporated, Berstis teaches RSAC, a ratings service for computer games (typically distributed on CD or DVD, as well as MPAA for movies (typically on DVDs) (Berstis column 13 lines 15-20, 40-46).

As per dependent claim 71, 72, Lamkin teaches DVD data and DVD-video and DVD-audio standards (FIG 2; Paragraph 0080) and setting parental levels (Page 11, Right Column, “ParentalLevelSelect(n)”). However, based on the rejection of Claim 48

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and the rationale incorporated, Berstis teaches RSAC, a ratings service for computer games (typically distributed on CD or DVD, as well as MPAA for movies (typically on DVDs) (Berstis column 13 lines 15-20, 40-46

As per dependent claim 74, Claim 74 recites similar limitations as in Claim 48 and is similarly rejected under rationale.

As per dependent claim 75, Claim 75 recites similar limitations as in Claim 47, 49 and is similarly rejected under rationale.

As per dependent claim 76, Claim 76 recites similar limitations as in Claim 73 and is similarly rejected under rationale.

As per dependent claim 80, Claim 80 recites similar limitations as in Claim 51 and is similarly rejected under rationale.

### ***Response to Arguments***

12. In regards to Applicant's remarks on the removal the previous rejection of Claims 47-51, 55-60 reject under 112, second paragraph, the 112 rejection was not withdrawn in light of Applicant's remarks filed on 4/5/2011; however, it was determined it does not have an indefinite issue after Examiner Faber and SPE Cesar Paula reviewed the claims in response to Applicant's request in the remark filed on 4/5/2011. While Applicant's remarks were taken into consideration at the time, the Examiner, once again, respectfully states it was determined to be withdrawn since the claims were not deemed indefinite.

13. As previously mentioned, it is noted that Applicant filed an IDS on 2/13/2004 which discloses the Application Serial 10/612415 within 10/777900. 10612415 is the Serial Number (#) for Patent 7493552. Therefore, the Office already recognizes the prosecution history of 10612415 and the fact it was patented and assigned Patent #7493552 which is reflected within 10777900 by the filing of the IDS. In addition, Pat. #7493552 has already been added to Applicant's specification in the "Cross-Reference to Related Applications" portion. Thus, Pat. #7493552 is already acknowledged within 10/777900 and there is no need to recite it in a Form 892. If Applicant disagrees with this reasoning, Applicant may file a Form 1449 disclosing Patent #7493552.

14. As previously mentioned, it's noted that the IDS filed on 2/13/2004 and 11/19/2010 both contain the correct listings of the Kelts reference. In the event that the Applicant believes the Kelts reference listed is 2/13/2004, the filing of the "correct" listing in the IDS filed on 11/19/2004 would overwrite the previous entry disclosed in the IDS filed on 2/13/2004. In addition, iff the Examiner mailed out an updated IDS with the Kelts reference crossed out, then the Kelts reference overall would not be considered within this application. Therefore, this is no need for the Examiner to mail out another copy of the IDS filed on 2/13/2004.

15. On pages 17-21, in regards of Claim 47, Applicant argues that Lamkin, Ostuka and Kanazawa individually fail to teach the limitations and they cannot be combined to teach the claim. Applicant especially states that cited prior art does not teach the



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following limitations "a plurality of mark-up documents corresponding to different parental levels; and a start-up mark-up document specifying which one of the plurality of mark-up documents corresponding to different parental levels is to be interpreted by the presentation engine of the apparatus depending on a parental level set in the apparatus." Applicant argues neither of the art teaches the use of a start-up document. . However, the Examiner disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that Ostuka and Kanazawa alone, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one

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of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007).

Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states "All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter." In other words, while the prior art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn't mean the art doesn't teach it and can't be considered to reject Appellant's claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

Therefore, based on the claim language of the claim limitations, the claim language does explicitly state how the start-up markup document specifies which one of other documents that corresponds to a certain parental level to be interpreted. Therefore, as long as the art specifies in anyway of indicating another document (corresponding to a parental level) to be interpreted using a startup markup document, then the art read upon the claim. In addition, Paragraph 0042-0043 of Applicant's specification explicitly states that "the mark-up document serves as an application program." Therefore, it viewed by the Applicant that markup document(s) is considered an application and vice versa. Thus, based on the broadest reasonable interpretation, Lamkin et al discloses an method disclosing a DVD (a storage medium) containing AV

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data, and including HTML documents in directories to reproduce said AV data in an interactive mode (a DVD video content and HTML content with extra information regarding said video encoded on said DVD, playable via computer connected to the Internet). This functionality can be performed by the use of a computer program comprising code/instructions executing the functionality (Abstract; Paragraph 0035, 0039, 0063, 0066, 0068, 0174, 0224; Claim 1 & 2) Also, Lamkin discloses the use of ITX API to perform the functionality (Para 0115-0179) and HTML is viewed as an application (0176). Furthermore, Lamkin teaches interactive content displayed on an interactive screen (clickable scenes in a displayed HTML Web page) on a display device that displays the HTML document and DVD content (paragraph 0066, 0103-0104); FIG 1 item 138, FIG 2) wherein Lamkin discloses embedding AV content with the HTML document (Paragraph 0117, 0121-0124) Furthermore, Lamkin discloses different embodiments that disclose a form of a startup document. In one embodiment, Lamkin teaches a common HTML page (index.htm) in a directory named "common" (a form of startup document) (Lamkin paragraph [0075]). Lamkin discloses checking/identifying a startup file when a disc is detected (Para 0075, 0081, 0089) Furthermore, Lamkin states "Upon insertion of the ITX disk, the platform will initiate execution of the appropriate binaries (based on a device specific feature, such as autorun) and then the binaries will load the index.htm file located in the common directory, the starting point for any general-purpose ITX disk. The starting or entry point is the index.htm file, with which resides in the top level of the common directory. ...The index.htm file will be the background "container" web page while standard playback occurs." (Para 0101-0102)

Furthermore, Lamkin discloses various other embodiments in which a HTML page is shipped with a DVD (a form of startup document) that links to a web site on the Internet or other supplemental information provided from the HTML data stored on the DVD (linking is a form of information about other markup document) (Lamkin, Paragraph 0035, 0066-0070) Thus, Lamkin discloses a user can select a link to another web site through the start up document that to be interpreted by the presentation engine (display interface)

However, Lamkin fails to specifically disclose the medium itself comprises a plurality of markup documents. However, Otsuka et al discloses allowing a user to browse HTML documents stored in the local optical disc. Otsuka discloses an AV interface displaying a HTML document which includes a menu coded in HTML (HTML menu) that includes links to other website documents. FIG 2B discloses a embodiment of an HTML file showing selectable links to other documents. This HTML document is a form of a start-up document since it is executed upon the disc player is initialized when it's turned on. From the HTML menu presented in a form of an HTML document, the user can select/retrieve other web document stored on the local optical disc. (Paragraph 0003, 0021, 0025, 0027) Since Otsuka discusses a first document being displayed, and the user can use first document to retrieve a second document wherein both documents are stored on the disc, Otsuka discloses plurality of documents stored on the medium. (Paragraph 0003, 0021, 0025, 0027) It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Lamkin in further view of

Otsuka since it would have provided the benefit of allowing users to retrieve additional information about a topic quickly without the need of a network or Internet.

Furthermore, Lamkin discloses identifying parental level values (Page 11, Right Column, "ParentalLevelSelect(n)" command that allows a parental level to be selected) wherein the commands control the playback and navigation mechanisms of the DVD (Paragraph 0131); however, Lamkin and Otsuka fail to specifically disclose documents corresponding to different parent levels and a document specifying which one of the documents corresponds to different parental level to be interpreted depending on the parental level. However, Kanazawa discloses the ability to restrict the access of Web display related information (web page) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired." Therefore, only the

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contents to be reproduced (displayed) are limited on the basis of the set parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Lamkin and Otsuka with Kanazawa since it would have provided the benefit of enabling the user to acquire the best related information while conforming with the attributes of the system.

Thus, Lamkin, Ostuka and Kanazawa disclose the limitations.

16. On pages, 21-23, in regards to Claim 52, Applicant argues similar arguments as when arguing in regards to Claim 47. In response, Examiner refers the Applicant to Examiner's Claim's 47 response on disclosing how the prior art teaches the limitations. Furthermore, Applicant argues that the cited prior art does not teach sub-directories corresponding to a plurality of different parental levels, but teach user device platforms. However, the Examiner disagrees.

Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states "All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter." In other words, while the prior

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art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn't mean the art doesn't teach it and can't be considered to reject Appellant's claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

Lamkin discloses the common directory (a form of "root" directory) contains an index page and device specific subdirectories. Also, Lamkin discloses ROM content is stored in subdirectories and top-level directories containing subdirectories. For example, top-level Sony directory may have a PS2, PS3, and CE (platform) directories wherein each platform directory contains an ITX.htm file (startup). Lamkin explicitly discloses the creation of PS2 and PS3 directories under the Sony directory. Therefore, the PS2 & PS3 directories are subdirectories of the Sony directory. Thus, Lamkin teaches various directories (i.e. directories and subdirectories) storing both DVD content and HTML content accordingly (Lamkin paragraph 0035, 0080, 0089-0090, 0099). Therefore, in combination of Lamkin, Ostuka, and Kanazawa, the combination teaches the limitations

17. On pages, 23-25, in regards to Claim 53, Applicant argues similar arguments as when arguing in regards to Claim 52. In response, Examiner refers the Applicant to Examiner's Claim's 52 response on disclosing how the prior art teaches the limitations. Furthermore, Applicant argues that the cited prior art does not teach a start-up mark-up document comprising link information identifying locations of the plurality of mark-up

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documents corresponding to the plurality of different parental levels. However, the Examiner disagrees.

Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states “All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter.” In other words, while the prior art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn’t mean the art doesn’t teach it and can’t be considered to reject Appellant’s claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

Lamkin discloses various other embodiments in which a HTML page is shipped with a DVD (a form of startup document) that links to a web site on the Internet or other supplemental information provided from the HTML data stored on the DVD (linking is a form of information about other markup document) (Lamkin, Paragraph 0035, 0066-0070) Thus, Lamkin discloses a user can select a link to another web site through the start up document that to be interpreted by the presentation engine (display interface) Thus, Lamkin discloses link information. In addition, Otsuka discloses a startup document comprising links to other documents that may be accessed through the startup document. (0003, 0021, 0025, 0027) Furthermore, Kanazawa discloses the ability to restrict the access of Web display related information (web page) based on a parental level wherein the access information is defined on the basis of parental



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information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. Furthermore, Kanazawa discloses “when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level “8,” if the parental level set in the reproducing system is “7” or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired.” Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable and designing to select link information on the basis of the parental information. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

18. On pages 26-27, in regards to Claim 55, Applicant is arguing that Claim 55 does not contain similar limitations as in Claim 47 since Claim 55 discloses display rule

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information for a plurality of different parental levels specifying whether to display the interactive contents associated with the AV data depending on a parental level set in the apparatus. . Furthermore, Applicant argues the cited prior art does not teach the limitation. However, the Examiner disagrees.

Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states “All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter.” In other words, while the prior art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn’t mean the art doesn’t teach it and can’t be considered to reject Appellant’s claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

Claim 47 recites specifying which one of the plurality of markup documents corresponding to different parental levels to be interpreted by the presentation engine. In addition, Paragraph 0047 of Applicant’s specification discloses the presentation engine reproduce the AV data in the interactive mode. Another claim limitation in Claim 47 discloses that reproducing the AV data in an interactive mode is done by displaying the AV data and interactive contents. Thus, the presentation engine is used to displaying. Furthermore, the written claim language of the limitation “specifying... interpreted by the presentation engine” is disclosing a form of display rule information since its specifying which document to be interpreted by the presentation engine, a form

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of specifying whether or not to display the document, wherein the document contains interactive AV data (disclosed earlier to the claim). Thus the claim limitation is specifying whether or not to display the document containing AV data/interactive contents which is similar to Claim 55's limitation. Nonetheless, Kanazawa discloses the ability to restrict the access of Web display related information (web page/web page content) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system. Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired." Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set level parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information

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coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48) Thus, the cited prior art teaches the limitations.

19. On page 27-29, in regards to Claim 58, Applicant argues that the Kanawaza does not teach the limitation because Kanawaza does not explicitly mention the word “class” or “class attribute”. However, the Examiner disagrees.

Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states “All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter.” In other words, while the prior art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn’t mean the art doesn’t teach it and can’t be considered to reject Appellant’s claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

While Kanawaza does not use the word “class”, the claim language fails to specifically disclose what a class attribute of the element actually is. Therefore, the broadest reasonable interpretation is used. Based on the rejection of Claim 52, 55, and the rationale incorporated, Kanawaza discloses blocking/restricting web content based upon a numerical (value) control (8 parental level values, 1-8) wherein these set predetermined values determine which elements, content and other information of the

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Web page to be displayed, and teaches specifying which content/web pages a user is allowed to access, based on the set parental level. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

20. On page 30-33, in regards to Claims 62 & 65, Applicant argues that the cited prior art fails to specifically teach the claim limitations of Claim 62 and 65. Applicant argues that Claim 62 does not recite the same language or features as Claim 47 and 55. However, the Examiner disagrees.

Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states “All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter.” In other words, while the prior art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn’t mean the art doesn’t teach it and can’t be considered to reject Appellant’s claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

While Claim 62 and 65 does exactly use the same exact wording as Claims 47, 55, and in addition, 58, the scope of the subject matter is similar by using similar terminology. Therefore, they are similar. Based on the scope of the subject matter of the claim language, Lamkin discloses an optical pickup to radiate laser beams on the data storage medium to read the mark-up documents and the AV data from the data storage

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medium (Abstract; Paragraph 0035, 0039, 0063, 0066, 0068, 0174, 0224: Discloses a DVD (a storage medium) containing AV data, and including HTML documents in directories to reproduce said AV data in an interactive mode (a DVD video content and HTML content with extra information regarding said video encoded on said DVD, playable via computer connected to the Internet) Also, Lamkin discloses the use information being read from the disc using a laser beam. (Paragraph 0015) Furthermore, Lamkin discloses blending the HTML page and video (Paragraph 0153-0154)

Lamkin discloses identifying parental level values (Page 11, Right Column, "ParentalLevelSelect(n)" command that allows a parental level to be selected. Selecting is a form of identifying); however, fail to specifically disclose a presentation engine identifying a predetermined value of an element of the mark-up document and determining whether to display the element depending on the predetermined value, parental level and display rule information. However, based on the rejection of Claim 52, 55, and the rationale incorporated, Kanazawa discloses the ability to restrict the access of Web display related information (web page/web page content) based on a parental level wherein the access information is defined on the basis of parental information related to a parental function in system attribute information set in the system.

Kanazawa discloses analyzing the content of the web page and only selecting and retrieving web page/web page content that coincides with the set parental level. This is based upon a numerical (value) control (8 parental level values, 1-8) wherein these set predetermined values determine which elements, content and other information of the

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Web page to be displayed, and teaches specifying which content/web pages a user is allowed to access, based on the set parental level. Furthermore, Kanazawa discloses "when the related information that coincides with the parental level set in the system is not present, it will not be reproduced on the screen. In other words, when the parental level of the related information is, for example, the adult oriented maximum level "8," if the parental level set in the reproducing system is "7" or lower, the related information will not be reproduced even if the user requests. This prevents the related information irrelevant to the attributes of the system (in this case, the related information that does not coincide with the parental level) from being accessed and enables the related information conforming with the attributes of the system to be always acquired."

Therefore, only the contents to be reproduced (displayed) are limited on the basis of the set level parental levels. In other words, only content (web pages) that matches the parental level requirements will be accessed while the other content will be restricted and inaccessible. Thus, only the access information is defined on the basis of the set parent level resulting in link information coincides with the set parent level being selectable. (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48)

21. On pages 32-34, in regards to Claim 48 and 74, Applicant argues that Bertis et al alone does not disclose a start-up document comprising meta-information indicating a parental level of the mark up documents corresponding to different parental levels.

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Applicant argues that impermissible hindsight reconstruction was used by the Office to combine the cited prior art together. However, the Examiner disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that Bertis doesn't teach the limitation, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).



Furthermore, the Examiner refers the Applicant to MPEP 904.01(b) that states “All subject matter that is the equivalent of the subject matter as defined in the claim, even though specifically different from the definition in the claim, must be considered unless expressly excluded by the claimed subject matter.” In other words, while the prior art cited may not explicitly use the same terminology as disclosed in the claim limitations, it doesn’t mean the art doesn’t teach it and can’t be considered to reject Appellant’s claimed invention. Thus, examiner submits that what is taught by the reference combination of Lamkin, Ostuka and Kanazawa is considered functionally equivalent to that which is claimed discussed below.

It is noted that Claim 48 recites similar limitations as in Claim 47 and is similarly rejected under rationale. Lamkin et al discloses link information identifying locations of documents (Paragraph 0066, 0068, 0070, Claim 15: discloses links to other documents/sites). In addition, Otsuka discloses a startup document comprising links to other documents that may be accessed through the startup document. (0003, 0021, 0025, 0027) Kanawaza discloses link information associated with documents corresponding to different parental levels. In other words, each document is associated with one or more parental levels (Col 5, lines 16-17, 47-50, 55-63; Col 5, line 64 – Col 6, line 13; Col 9, lines 15-47; Col 10 lines 45-48) Lamkin, Otsuka and Kanawaza do not specifically teach meta-information according to different parental levels. However, Berstis teaches HTML meta-information associated with parental levels (Berstis column 10 lines 10-19; col 12, lines 13-15; col 13, lines 14-58; col 14, lines 60-67 -insert an extra header into the document before the contents of the document; col 15, lines 4-6,

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12-25 – embedding in the document). Thus, Bertis discloses embedding labels into documents disclosing that document's (parental) rating. The labels are considered metadata. (Col 12, line 14) It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Bertis to Lamkin, Otsuka and Kanawza, providing the benefit of meta-data to more accurately describe parental data and selecting which HTML page (via links) to view based on parental levels.

Therefore, Bertis teaches the limitations.

### ***Conclusion***

**22. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Faber whose telephone number is 571-272-2751. The examiner can normally be reached Monday-Thursday, and every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cesar Paula, can be reached on 571-272-4128. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David Faber/  
Examiner, Art Unit 2177

/CESAR B PAULA/  
Supervisory Patent Examiner, Art Unit 2177